

Response dated March 21, 2005

Reply to Non-Final Office Action of October 20, 2004

REMARKS

Election/Restrictions

The Examiner requires restriction between the following groups:

Group I, claims 76-81, drawn to a process for the preparation of laundry detergent or cleaning product shaped bodies;

Group II, claims 82-95, drawn to a process for the preparation of laundry detergent or cleaning product shaped bodies having at least one cavity;

Group III, claims 96-100, drawn to a process for the preparation of laundry detergent or cleaning product shaped bodies including coating; and

Group IV - claims 101-107, drawn to a combination of a laundry detergent or cleaning product shaped body and a packaging system.

In response, Applicants provisionally elected Group I for prosecution, with traverse of the restriction requirement. This election is affirmed.

While applicants do not dispute the examiner's allegations that the four groups of claims are independent or distinct, it cannot be shown that a search and examination of the claims together would be seriously burdensome. M.P.E.P. § 803. The independent claims of

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each group share a common core of elements that primarily distinguish all five groups of claims over the prior art. Thus, the amount of searching outside of the search field for group I will not be great, and application of the results to each group of claims will be substantially similar. Indeed the examiner in this action has rejected the claims over the same art for the same reasons as were used to reject the claims in the parent case, now U.S. Patent No. 6,737,390. For this reason applicants respectfully ask that the restriction and election requirements be withdrawn, and that all claims be examined on the merits together.

Claim Objections

Claim 76 was objected to for the second occurrences of "(a)" and "(b)" in subparagraphs (a) and (b). Applicants concede that the formatting of claim 76 as originally presented might be confusing. As shown below, however, it becomes apparent that the second occurrences of "(a)" and "(b)" are necessary to distinguish "parts (a) and (b)" of the shaped body from steps (a) and (b) of the claimed process. Moreover, the labeling of the noncompressed parts "(a)" and "(b)" is needed to provide antecedent basis for the references thereto in claims 77 and 78. Therefore no amendment to the second occurrences of "(a)" and "(b)" in subparagraphs (a) and (b) has been made.

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Claim Rejections - 35 U.S.C. § 102

Claim 76 stands rejected as anticipated by U.S. 5,759,974 (Menke). Claims 76-81 stand rejected as anticipated by WO 99/27064 (Speed). Applicants respectfully traverse.

Anticipation requires that the reference disclose to one of skill all of the elements of a claim as combined in that claim. All of the claims as amended require at least two noncompressed parts to comprise the claimed shaped body, wherein the noncompressed parts have been formed under pressures of no more than 0.1 kN/cm². Support for the claims as amended is found at page 38, lines 1-6.

Menke discloses casting masses, but does not disclose the claimed process of forming a body having at least two active-containing, noncompressed masses. The preferred process is co-extrusion of two masses, as in Example 1 cited by the Examiner. But this does not disclose what is claimed, because the extrusion process described by Menke is typified by extrusion pressures in excess of 25 bar, or at least 0.25 kN/cm². See, e.g., Smulders, Laundry Detergents § 6.3.5 (Wiley-VCH 2002). Thus Menke does not disclose or suggest the process presently claimed.

With regard to Speed, all claims now require that noncompressed portions (a) and (b) cannot be gelatinous at the same time. Support for this limitation is found in the table at page 70 of the specification, wherein a tablet formed with two gelatinous portions is disclosed. Applicants may exclude this embodiment from the claims as

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its description in the application constitutes a sufficient disclosure for such exclusion, adding no new matter to the application. In re Driscoll, 195 U.S.P.Q. 434, 438 (C.C.P.A. 1977); In re Johnson and Farnham, 194 U.S.P.Q. 187, 196 (C.C.P.A. 1977); Daniels and McCombie v. Daum and Clarke, 214 U.S.P.Q. 911, 916 (Bd. Pat. Int. 1982).

Speed discloses detergent tablets consisting of two or more noncompressed, gelatinous portions. This disclosure is specifically excluded from applicants' claims as amended. Moreover, Speed does not suggest the inclusion of any non-gelatinous portions, as required by all of the claims as amended. Thus the claims as amended are neither taught nor suggested by Speed, and the rejections of claims 76-81 as anticipated by or obvious over Speed should be withdrawn.

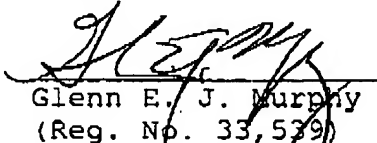
CONCLUSION

In view of the remarks and amendments above, Applicants ask for reconsideration of this restriction election and allowance of all pending claims. Should any fees be due for entry and consideration of this Amendment that have not been accounted for, the Commissioner is authorized to charge them to Deposit Account No. 01-1250.

Respectfully submitted,

GEM/lmg

Henkel Corporation
Patent Law Department
2200 Renaissance Blvd., Suite 200
Gulph Mills, PA 19406


Glenn E. J. Murphy
(Reg. No. 33,539)
Attorney for Applicants
610-278-4926